

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

**GUARANTY BANK;]
FEDERAL NATIONAL]
NATIONAL MORTGAGE]
ASSOCIATION,]
Plaintiffs ,]
REGINALD REID,]
Defendant.]**

In the underlying matter, the defendant, Reginald Reid, proceeding *pro se*, removed this mortgage foreclosure action to this Court from the Court of Common Pleas for Kershaw County. The plaintiffs' move to have this matter remanded to state court.

Pursuant to this Court's Local Rules, this matter was referred to United States Magistrate Judge Paige J. Gossett for a Report and Recommendation. On May 24, 2010 Magistrate Judge Gossett issued her Report recommending that the Court grant the plaintiffs' motion to remand. No objections have been filed to the Magistrate Judge's Recommendation

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Matthews v. Weber, 423 U.S. 261 (1976). The Court

is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made. 28 U.S.C. § 636(b)(1)(C). However, the Court is not required to review under a *de novo* or any other standard, the factual or legal conclusions of the Magistrate Judge as to those portions of the Recommendation to which no objections are addressed. Thomas v. Arn, 474 U.S. 140 (1985).

In their motion to remand, the plaintiffs assert that the defendant's removal to this Court is "untimely, not filed in good faith and lacks a basis upon which this court can assert subject matter jurisdiction." In addition, counsel for the plaintiffs contend that the attempted removal took place "after entry of a final judgment and judicial sale of property." The defendant has not filed any opposition to the plaintiffs' motion to remand and has not filed any objections to the Magistrate Judge's Recommendation.

Recognizing the defendant is proceeding *pro se*, the Court has conducted a *de novo* review on the record before it. Upon consideration, the Court concurs with the Magistrate Judge's Recommendation that that this matter should be remanded to the Court of Common Pleas for Kershaw County. For the reasons set forth more fully in the Report and Recommendation of the Magistrate Judge, the plaintiffs' motion to remand is GRANTED.

IT IS SO ORDERED.

**s/MATTHEW J. PERRY, JR.
SENIOR UNITED STATES DISTRICT JUDGE**

**June 18, 2010
Columbia, South Carolina.**